

UNITED STATES OF AMERICA

IN THE WESTERN DISTRICT OF MICHIGAN

United States of America,
Plaintiff,

File No. 1:18-cr-166

v.

Hon. Paul L. Maloney
U.S. District Court Judge

Daniel Dario Trevino (D-1),
Defendant.

**BRIEF IN SUPPORT OF DEFENDANT DANIEL TREVINO'S (D-1) MOTION TO
DISMISS FOR FIRST AMENDMENT AND FOURTEENTH AMENDMENT
VIOLATIONS**

Attachment 2 – Sample pages from TCM reports in 2011 with prosecution referrals to the
Michigan Attorney General's Office and United States Attorney's Office

Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0011

ORIGINAL DATE Tue, Apr 26, 2011	INCIDENT NO. TCM-0000079-11
SUPPLEMENTARY DATE Thu, Sep 29, 2011	FILE CLASS 35001

INCIDENT STATUS

Open

MEDICAL MARIJUANA DISPENSARY

JOURNAL:

9/6/11	Durham	Reviewed supplemental report #8. This case pends further investigation.
10/4/11	Durham	Reviewed supplemental reports #9 and #10. This case pends further investigation.

DATE & TIME:

THU. SEP. 29, 2011 AT

VENUE:

INGHAM COUNTY, LANSING
700 WEST BARNES

OFFICERS INVOLVED:

D/LT. R. LYNDE
D/SGT. R. DURHAM
TPR. E. SEIDA
OFC. R. BACKUS
DEP. R. KHAN
DEP. W. LO

MSP HOMETOWN SECURITY TEAM:

TPR. P. SMITH
TPR. J. SCHREIBER

MSP MAJOR CASE TEAM:

D/LT. J. CORONA

INFORMATION:

On 9/29/11 search warrants were executed at the Hydroworld located at 700 and 702 West Barnes in Lansing.

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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0011

ORIGINAL DATE Tue, Apr 26, 2011	INCIDENT NO. TCM-0000079-11
SUPPLEMENTARY DATE Thu, Sep 29, 2011	FILE CLASS 35001

SUSPECT:

NAME: HYDROWORLD

ADDRESS:

700 W BARNES ROAD
LANSING, MI 48910

NAM: DANIEL DARIO TREVINO

NBR: 700 DIR: W

STR: BARNES

SFX: ROAD

CTY: LANSING

TXH:

TXW:

ST: MI

ZIP: 48910

RAC: U

SEX: M

DOB: [REDACTED]

HGT: 5'07"

WGT: 160

HAI: BRO

EYE: BRO

ETH: H

OPS: [REDACTED]

SSN: [REDACTED]

SID: MI/[REDACTED]

FBI: [REDACTED]

MNU:

PRN:

SEARCH WARRANT:

I drafted a search warrant for 700 and 702 West Barnes in Lansing. The search warrant was reviewed by AUSA Rollstin and was signed by Magistrate Milmore of the 54-A District Court.

BRIEFING:

A briefing was held for all personnel involved with the execution of the search warrant.

EXECUTION OF SEARCH WARRANT:

Officers executed the search warrant and the building was secured without incident. Patrons of the business were identified and then released from the scene.

SEARCH OF BUSINESS:

NORTHEAST ROOM:

- Six jars of suspected marijuana
- Black digital scale
- Calculator
- US Currency
- Medibles
- Blue Rubbermaid Tote containing suspected marijuana
- Hand written receipt books
- True Align time recorder
- (15) boxes of sandwich baggies
- One gray Sentry safe
- Business documents, ledgers and paperwork

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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0021

ORIGINAL DATE Tue, Apr 26, 2011	INCIDENT NO. TCM-0000079-11
SUPPLEMENTARY DATE Thu, Jan 05, 2012	FILE CLASS 35001

INCIDENT STATUS
Open

MEDICAL MARIJUANA DISPENSARY

JOURNAL:

12-13-11 D/Sgt Durham Supp #20 rev. pends further inv./charges.
12-19-11 QS Both item #52 (\$240.78) and item #98 (\$849.00) were deposited into the
TCM pending account at Comerica Bank (0-279).

VENUE:

INGHAM COUNTY, LANSING
7119 N. CANAL RD.
AT OR NEAR: MSP POST 11

DATE & TIME:

WED, JAN 4, 2012 AT APPROXIMATELY 1300 HOURS

INFORMATION:

I was requested to respond to MSP Post 11 in reference to a found cell phone. Tpr. Tim Olsen received a complaint MSP incident #11-11363-11, in which a citizen located a cell phone in the parking lot of La Frontera Mexican store in Lansing. The citizen turned the phone on attempting to locate the owner and found pictures of what she believed to be marijuana. The citizen decided to take the phone to the MSP Lansing Post. Tpr. Olsen, also attempting to locate an owner found a text that identified the sender/owner as DANNY TREVINO. Tpr. Olsen knew DANIEL TREVINO to be a suspect of Tri-County Metro Narcotics in various narcotics cases. Tpr. Olsen contacted Tri-County Metro and I responded. The found cell phone was turned over to me and I placed the phone into our property. A subsequent search warrant was drafted for the content of the phone.

SUSPECT:

NAM: DANIEL DARIO TREVINO

NBR: 700 DIR: W
STR: BARNES
SFX: ROAD
CTY: LANSING
TXH:
TXW:

ST: MI
ZIP: 48910

RAC: U
SEX: M
DOB: [REDACTED]
HGT: 5'07"
WGT: 160
HAIR: BRO
EYE: BRO

ETH: H
OPS: MI/
SSN: [REDACTED]
SID: MI/
FBI: [REDACTED]
MNU:
PRN:

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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0021

ORIGINAL DATE Tue, Apr 26, 2011	INCIDENT NO. TCM-0000079-11
SUPPLEMENTARY DATE Thu, Jan 05, 2012	FILE CLASS 35001

SEARCH WARRANT:

I drafted a search warrant for the content of the phone it was reviewed by AUSA William Rowleston and signed by Magistrate Millmore.

PROPERTY:

SEIZED BY: E SEIDA

Prop 0105 - Type: Office Equipment Qty: 1 Article Type: Cellular Telephone Brand: Motorola Model: RAZOR S/N: 891480000007457754 Value: \$200.00 Recovered Value: \$200.00

Descrp: MSP HEAT SEAL CONTAINING BLACK MOTOROLA RAZOR CELLULAR PHONE
ID#891480000007457754 WITH SOFT CASE.

Obtained From:

PROPERTY ITEM #105 MOTOROLA CELLULAR PHONE TURNED OVER TO ME BY LANSING
POST SGT BEASLEY.

LAB ANALYSIS:


Item #105 as well as a copy of the search warrant/affidavit for search warrant will be forwarded to the MSP Crime Lab for retrieval of the contents of the cell phone as well as positive identification of the owner of the cell phone.

EXTERNAL DOCUMENTS:

Affidavit for Search Warrant

STATUS:

Open

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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0023

ORIGINAL DATE Tue, Apr 26, 2011	INCIDENT NO. TCM-0000079-11
SUPPLEMENTARY DATE Tue, Jul 03, 2012	FILE CLASS 35001

INCIDENT STATUS
Open

MEDICAL MARIJUANA DISPENSARY

JOURNAL:

2-07-12 RAD Supp #21 rev. pends phone download at computer crimes.
2-17-12 RAD Supp #22 rev. pends further inv.
5-17-12 RAD Rev. pending at AUSA for charges.

INFORMATION:

The below listed suspects, DANIEL VERNELL CORBIN and MICHAEL LEROY LEWIS, both turned themselves into the Lansing Police Department this am. Both suspects learned of their warrants from an unknown defense attorney. This attorney sent each a letter in the mail informing them of the warrants and offering legal services. Neither remembered the name. I made contact with each for the purpose of interview.

*I asked neither subject self incriminating questions. Miranda rights were not required at this time.

ARREST:

NAM: MICHAEL LEROY LEWIS

NBR: 4154 DIR:
STR: HEATHGATE
SFX: ROAD
CTY: LANSING
TXH:
TXW:
CHARGE:

ST: MI
ZIP: 48909

RAC: B
SEX: M
DOB: [REDACTED]
HGT: 6'01"
WGT: 180
HAI: BLK
EYE: BRO

ETH: U
OPS: MI/[REDACTED]
SSN: [REDACTED]
SID: MI/[REDACTED]
FBI: [REDACTED]
MNU:
PRN:

3560 CONT SUBST-DELIVERY/MANUFACTURE MARIHUANA 333.7401

INTERVIEW LEWIS:

I interviewed LEWIS this date within a room at the LPD jail. I spoke with LEWIS just prior to being arraigned. LEWIS agreed to speak with me at this time.

I asked LEWIS if he knew what his warrant was for. He shook his head no. I advised him he was being charged with selling marijuana to an undercover officer. The officer(s) did not possess a valid medical marijuana card. He became argumentative and said, "There's no way! How did you get through the door?" I informed him he would be able to acquire that information while reading the police reports. LEWIS would not offer information and did not want to answer any questions about Hydroworld or Daniel Trevino. I concluded my interview with LEWIS and added that if he changed his mind he could contact Tri-Count Metro Narcotics.

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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0023

ORIGINAL DATE Tue, Apr 26, 2011	INCIDENT NO. TCM-0000079-11
SUPPLEMENTARY DATE Tue, Jul 03, 2012	FILE CLASS 35001

ARREST:

NAM: DANIEL VERNELL CORBIN

NBR: 2404 DIR:

STR: FIELDING

SFX: DRIVE

CTY: LANSING

TXH:

TXW:

CHARGE:

3560 CONT SUBST-DELIVERY/MANUFACTURE MARIHUANA 333.7401

ST: MI

ZIP: 48911

RAC: W

SEX: M

DOB: [REDACTED]

HGT: 6'02"

WGT: 290

HAI: BRO

EYE: BLU

ETH:

OPS: MI/ [REDACTED]

SSN: [REDACTED]

SID: MI/ [REDACTED]

FBI: [REDACTED]

MNU:

PRN:



INTERVIEW CORBIN:

I interviewed CORBIN this date within a room at the LPD jail. CORBIN had just been arraigned and received a PR bond. CORBIN agreed to speak with me at this time.

I asked CORBIN if he knew what his warrant was for. He said he just understood what the judge had told him but could not elaborate. I advised him he was being charged with selling marijuana to an undercover officer. The officer(s) did not possess a valid medical marijuana card. He did not disagree. I asked if he knew anything about Daniel Trevino's business. He smiled and informed me that he was still employed by Trevino and had no "ill" to speak of him. I concluded my interview with CORBIN and added that if he changed his mind he could contact Tri-County Metro Narcotics.

STATUS:

Open

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Michigan Department of State Police

SUPPLEMENTAL INCIDENT
REPORT 0027

ORIGINAL DATE

Tue, Apr 26, 2011

INCIDENT NO.

TCM-0000079-11

SUPPLEMENTARY DATE

Mon, Nov 26, 2012

FILE CLASS

35001

INCIDENT STATUS

Inactive

MEDICAL MARIJUANA DISPENSARY

COURT:

Judge Clark dismissed all charges per A.A.G. Cusick, and appeal will be filed.

STATUS:

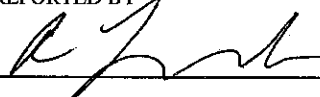
Inactive, pending appeal

PAGE

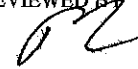
1 of 1

INVESTIGATED BY
D/LT R LYNDE #91

REPORTED BY



REVIEWED BY



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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0029

ORIGINAL DATE Tue, Apr 26, 2011	INCIDENT NO. TCM-0000079-11
SUPPLEMENTARY DATE Wed, Mar 27, 2013	FILE CLASS 35001

INCIDENT STATUS Open



MEDICAL MARIJUANA DISPENSARY

JOURNAL:

3/27/13 Scroggins Not to be destroyed pending federal case.

STATUS:

Inactive

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